

ORIGINAL

AO 91 (Rev. 11/82)

## CRIMINAL COMPLAINT

UNITED STATES DISTRICT COURT		CENTRAL DISTRICT OF CALIFORNIA	
UNITED STATES OF AMERICA v. JOSE ANGEL CARDONA-RAMIREZ, Aka "Pollo"		DOCKET NO.	FILED CLERK, U.S. DISTRICT COURT
		MAGISTRATE'S CASE NO. ED 16-0032 M	FEB 08 2016 CENTRAL DISTRICT OF CALIFORNIA BY [Signature] DEPUTY
Complaint for violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B)			
NAME OF MAGISTRATE JUDGE HONORABLE KENLY KIYA KATO		UNITED STATES MAGISTRATE JUDGE	LOCATION Riverside, California
DATE OF OFFENSE February 3-4, 2016	PLACE OF OFFENSE Riverside County	ADDRESS OF ACCUSED (IF KNOWN)	
COMPLAINANT'S STATEMENT OF FACTS CONSTITUTING THE OFFENSE OR VIOLATION:  Title 21, U.S.C. § 841(a)(1), (b)(1)(B)  Beginning on a date unknown, and continuing to on or about February 4, 2016, in Riverside County and elsewhere, within the Central District of California, defendant <b>JOSE ANGEL CARDONA-RAMIREZ, aka "Pollo,"</b> conspired and agreed to knowingly and intentionally distribute and possess with intent to distribute at least 100 kilograms or more of marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B).			
BASIS OF COMPLAINANT'S CHARGE AGAINST THE ACCUSED:  (See attached affidavit which is incorporated as part of this Complaint)			
MATERIAL WITNESSES IN RELATION TO THIS CHARGE: N/A			
Being duly sworn, I declare that the foregoing is true and correct to the best of my knowledge.	SIGNATURE OF COMPLAINANT Shane Van Gundy [Signature]		
	OFFICIAL TITLE Special Agent – Department of Homeland Security		
Sworn to before me and subscribed in my presence,			
SIGNATURE OF MAGISTRATE JUDGE <sup>(1)</sup> [Signature]			DATE February 8, 2016

<sup>(1)</sup> See Federal Rules of Criminal Procedure 3 and 54

**AFFIDAVIT**

I, Shane R. Van Gundy being duly sworn, declare and state as follows:

**I. INTRODUCTION**

1. I am a ("SA") with the United States Department of Homeland Security, Immigration and Customs Enforcement ("ICE")/Homeland Security Investigations ("HSI") and I have been so employed since September of 2009. I am currently assigned to the Assistant Special Agent in Charge ("ASAC") Riverside/San Bernardino Narcotics/Financial Investigations Group. In this assignment my primary responsibility is to investigate drug trafficking organizations ("DTOs"), and their related drug and financial crimes. As a law enforcement officer of the United States, within the meaning of Title 18, United States Code, Section 2510(7), I am empowered to conduct investigations of, and to make arrests for, the offenses enumerated in Title 18, United States Code, Section 2516.

2. Prior to joining HSI, I was a Border Patrol Agent from October 2005 to September of 2009. As a Border Patrol Agent, my duties included analyzing narcotics trafficking patterns along the southern border of the United States, apprehending drug traffickers, and interviewing narcotics smugglers, among other things.

3. As an HSI Agent, I have participated in multiple narcotics and financial investigations at the federal and state levels. In conducting these investigations, I have utilized a variety of investigative techniques and resources, including

physical and electronic surveillance and various types of informants and cooperating sources. I have assisted in both state and federal wiretap investigations since 2009.

4. Through my training, experience, and interaction with experienced SAs, Task Force Officers ("TFOs"), and other narcotics investigators, I have become familiar with the methods employed by narcotics traffickers to smuggle, safeguard, and distribute narcotics, and to collect and launder narcotics-related proceeds. I have learned that narcotics traffickers and money launderers operate within a structured hierarchy in which the menial and labor related tasks such as unloading, transporting and handling large quantities of narcotics and bulk cash is left to low ranking members of the organization. Within the structure of the organization there are progressively greater responsibilities and power for narcotics traffickers as they gain expertise, knowledge, experience and older narcotics traffickers are either apprehended by law enforcement or retire. Furthermore, the progression of narcotics traffickers through the organizational hierarchy results in greater financial gain coupled with a decreased risk of being apprehended by law enforcement during a narcotics event. Therefore, narcotics traffickers who occupy a position of greater authority within the organization will be identified by their peripheral involvement in narcotics activities, disparities in legitimate income weighed against assets and life style, contacts through phone, email and message services with persons directly involved

in the handling of narcotics and bulk cash, as well as other means.

5. I have specialized training and experience in narcotics trafficking and the related financial crimes. I have participated in numerous drug and financial investigations, which have included the use of confidential sources and undercover officers, physical surveillance, electronic surveillance, the execution of search and arrest warrants, the use of court-ordered intercepts of wire and/or electronic communications, dialed number recorders (pen registers), telephone toll analysis, the arrests of drug traffickers, and the analysis of seized records, physical evidence, and taped conversations. Over the course of my employment as a law enforcement officer, I have participated in investigations that involve one, or all, of the following crimes: possession, distribution, possession with intent to distribute, and manufacture of controlled substances, and related laundering of monetary instruments. I have been present during the execution of search warrants where controlled substances were found. I have also spoken with defendants, confidential informants, and other witnesses who have extensive knowledge of the inner workings of major narcotics trafficking organizations.

6. HSI Riverside is investigating various members and associates of the Cardona family, who are believed to be involved in the transportation and distribution of marijuana and other drugs into the United States from Mexico. Throughout the course of the investigation, HSI Riverside agents have linked

the activities of the Cardona family drug trafficking organization ("Cardona DTO") to multiple violations of United States law to include narcotics trafficking and distribution, money laundering, bulk cash smuggling, structuring, and other drug trafficking related charges.

7. The acting head of the Cardona DTO, Juan Luis CARDONA-RAMIREZ, also known as ("aka") "Luis Anthony Ordin," ("Juan CARDONA") directs the organization from Riverside, California. There are numerous persons both known and unknown to the investigation who have participated in various violations of law that have been linked to the CARDONA DTO; however, Juan CARDONA's principal co-conspirators and most trusted members of the DTO are his relatives, including his brother Jose CARDONA ("Jose CARDONA"), and his brother in law, Cesar Eduardo CORTES, Jr. ("Cesar CORTES"), as well as other family members (collectively, the "Target Subjects").

8. The decisions I have made and the conclusions I have reached are based not only upon my own training and experience, but also on the training and experience of other federal agents, task force officers, and detectives from participating agencies, with whom I have discussed this case. Thus, when I say something is based on my training and experience, it is based on not only my personal training and experience but the collective training and experience I have accumulated by speaking with other law enforcement investigators.

## **II. PURPOSE OF AFFIDAVIT**

9. This affidavit is made in support of an application for a complaint charging Jose Angel CARDONA-RAMIREZ, also known as "Pollo," ("Jose CARDONA") with a violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B) (Possession With Intent to Distribute 100 kilograms or more of marijuana). Specifically, there is probable cause to believe that on or about February 4, 2016, Jose CARDONA and the other Target Subject, in Riverside County, within the Central District of California, possessed with intent to distribute at least 100 kilograms of marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(A).

10. The facts set forth in this affidavit are based upon my personal observations, my training and experience, and information obtained from various law enforcement personnel and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not purport to set forth all of my knowledge of or investigation into this matter.

## **III. STATEMENT OF PROBABLE CAUSE**

### **A. Juan CARDONA, Ceasar CORTEZ, Jose CARDONA, and another individual Were Apprehended on February 4, 2016, While Participating in a Marijuana Smuggling Operation.**

11. On January 31, 2016, I was contacted by HSI Special Agent Derren Henderson from the San Diego Maritime Task Force ("MTF") group. SA Henderson told me that a confidential source

("CS-1")<sup>1</sup> informed SA Henderson that a pleasure craft transporting bales of marijuana would be arriving at the San Diego marina on January 31, 2016 from Mexico. Furthermore, CS-1 would be responsible for taking the boat to a nearby storage lot. CS-1 would then be responsible for transporting the pleasure boat on a flatbed truck to the Riverside/Moreno Valley area.

12. According to SA Henderson, due to poor weather, CS-1 did not transport the boat to the storage yard until February 1, 2016. At that time, HSI San Diego established surveillance on the storage yard and the boat and began coordinating a possible controlled delivery with HSI Riverside. HSI San Diego maintained continual surveillance on the pleasure boat until February 3, 2016.

13. At approximately 11:00 p.m. on February 3, 2016, CS-1 began transporting the pleasure boat and flatbed trailer north on Interstate 15. HSI San Diego began a mobile surveillance to follow the vehicle as it headed north. According to SA Henderson, CS-1 had been informed that he was to travel to a Home Depot parking lot located on Collier Ave, in Lake Elsinore, California. Prior to beginning to drive northbound, CS-1 was able to look into the pleasure craft and see large plastic

---

<sup>1</sup> CS-1 has arrests, but no convictions for domestic violence, and multiple felony convictions for theft. CS-1 is a United States citizen. He is cooperating with law enforcement in exchange for payment. I believe that CS-1 has provided credible information in this investigation because I have been able to corroborate CS-1 statements with observations made on surveillance by other HSI agents, including HSI air support.



wrapped bundles of what he believed to be marijuana loaded on the boat.

a. At approximately 2:30 a.m. on February 4, 2016, the flatbed truck carrying the pleasure craft exited Interstate 15 at Central Ave in Lake Elsinore, California. At this time, the surveillance consisted of HSI San Diego and HSI Riverside agents and TFOs. CS-1 was then instructed to go east on Central Ave/Highway 74 to a Lowe's parking lot to meet a person or persons there. CS-1 began traveling that direction and was approached by a dark red pickup truck bearing CA plate 45108E1 driven by CORTES. I observed the two vehicles stop and the drivers appeared to speak briefly with each other. The dark red pickup truck and flatbed truck then began traveling eastbound on Highway 74 in tandem. Records checks were requested for the red pickup truck through law enforcement indices and HSI Riverside discovered the truck was registered to a "Cesar Cortes" at a residence in Nuevo, California.

b. The two vehicles continued eastbound until they arrived at a small Mexican restaurant called "Guadalalupe" on the southwest side of Highway 74 near Ethanac Road at approximately 2:45 a.m. I observed the vehicles on the side of the road for approximately 10 minutes without movement and then drove south east down a small dirt road and parked on a large lot in front of a residence near the intersection of Theda Street and Juniper Meadows Lane in the city of Perris, California (the "Theda lot"). The street address of the Theda Street lot is unknown, however, the approximate GPS position of



the property is at N 33 degrees 44.76', West -117 degrees 16.5' using the decimal degree GPS system.

14. At approximately 7:30 a.m. on February 4, 2016, Customs and Border Protection Air Operations ("Omaha") joined the joint surveillance at the Theda lot. At approximately 8:40 p.m. Omaha saw two Hispanic males moving around the pleasure boat. Omaha captured the activities of the Hispanic men on video, and this video was reviewed by SA David Wright and SA Rob Zavala on February 5, 2016, who are personally familiar with Juan CARDONA and Jose CARDONA from this investigation, and who can confirm the following:

a. At approximately 8:23 a.m., the boat was backed up near the garage of the Perris residence. Two identified males were visible, one wearing a gray shirt and dark pants and an individual believed to be CORTES, who was wearing dark shirt and dark pants.

b. At approximately 8:44 a.m., a white four door pickup truck arrived and parked near the garage. A single male, believed to be Juan CARDONA was observed wearing a black jacket, dark jeans and white shoes. Juan CARDONA then walked over to the two other males, and he entered the boat with CORTES, wherein the two began offloading numerous black, plastic wrapped bundles from the boat and handing them to the individual with gray jeans. The bundles were then placed inside the garage area attached to a property on the Theda lot.

c. At approximately 9:03 a.m., a silver, four-door pickup truck arrived near the boat and three male occupants exit

the truck. The passenger of the pick-up truck was wearing a gray, long sleeve sweatshirt and dark jeans, and SA Wright and SA Zavala identified him as Jose CARDONA. All three males then walk toward the rear of the boat. Jose CARDONA then picked up a large piece of plywood and placed it on a nearby scaffolding believed to be for the purpose of shielding the groups' activities from any neighbors.

d. At approximately 9:06 a.m., SAs Wright and ZAVALA observed on the video footage of the incident as captured by Omaha, Juan CARDONA and Cesar CORTES exit the boat and Juan CARDONA and Jose CARDONA walk away from the group. SAs Wright and Zavala then observed Jose CARDONA on his cell phone as Juan CARDONA rejoined the group.

e. At approximately 9:47 a.m., SAs Wright and Zavala observed an unidentified male position a white pickup truck with a white camper shell in front of the garage and two of the men in the group were then observed loading plastic wrapped bundles on to the rear of the pickup truck (load vehicle) while others repositioned the boat/trailer and several other vehicles on the property.

f. At approximately 10:28 a.m., Juan CARDONA and several others in the group are observed gathered under a tree near the load vehicle just prior to the load vehicle's departure from the property.

g. At approximately 10:50 p.m., the flat bed and the boat left the Theda lot.

15. At approximately 11:00 a.m., HSI Riverside agents began to see activity around the Theda lot and secured the property. At that time, HSI Riverside agents identified Juan CARDONA and Cesar CORTES. At that time HSI Riverside agents were able to see large black plastic bags with marijuana residue in plain view on the ground next to the residence on the Theda lot. Thereafter, agents proceeded to secure the property and conducted a security sweep of the Theda lot and the related garages to determine whether there were any other individuals on the properties.

16. CORTES, Juan CADRDONA, and Jose CARDONA were detained while leaving the property. Jose CARDONA was wearing the same clothing as seen in the video footage captured by Omaha. While conducting the sweep, agents observed numerous bales of marijuana in large storage lockers in a garage on the Theda lot.

17. On February 4, 2016, the Honorable David T. Bristow issued search warrants for locations on the Theda lot. In the course of the search, HSI agents found numerous bales of marijuana and other drug paraphernalia. Jose CARDONA, Juan CARDONA, and Cesar CORTES were detained. Jose CARDONA is in the United States illegally, and he was put into immigration custody. On February 5, 2-16, the honorable David T. Bristow issued a complaint against Juan CARDONA and CORTES.

18. After he was arrested and read his Miranda rights, Juan CARDONA admitted that he was on the Theda lot for a marijuana smuggling event. He alleged that the drugs belong to a person nicknamed "El Tostado" and an individual Martin Last

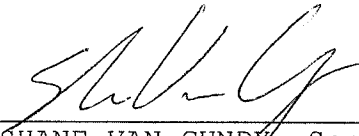
Name Unknown ("LNU") ("Martin LNU"), who resides in the United States and Mexico and who is responsible for selling the drugs here. Juan CARDONA stated that Martin LNU is the organizer of the warehouse in Los Angeles and would pay him \$10,000 to receive the boat.

19. Juan CARDONA indicated that he had gone to the Perris house around midnight or 1 a.m. on February 4, 2016, to see if the boat was there, but didn't see it there and left. He and Jose CARDONA returned in the morning to check on some workers and saw a truck with a boat leaving along with another white truck.

20. Juan CARDONA indicated that Martin LNU had told him that the white truck had 400 pounds of marijuana in it and would get the rest later. After a search of the property on February 5, 2016, it was determined that there were over 1,000 pounds of marijuana on the property that night.

**IV. CONCLUSION**

21. Based on the foregoing, I have probable cause for the issuance of a complaint charging Jose CARDONA with a violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B) (Possession With Intent to Distribute 100 kilograms or more of marijuana).

  
\_\_\_\_\_  
SHANE VAN GUNDY, Special Agent  
Department of Homeland Security  
Homeland Security Investigations

Subscribed to and sworn before  
me this 8th day of February,  
2016.

  
\_\_\_\_\_  
HONORABLE KENLY KIYA KATO  
UNITED STATES MAGISTRATE JUDGE